

OLC 78-3029/18
22 September 1978

PKG
in SSCI
Briefing

MEMORANDUM FOR: Anthony Lapham
General Counsel

FROM :

Assistant Legislative Counsel

SUBJECT : Follow-up Items from 14 September Senate
Select Committee on Intelligence Briefing on
the Kampiles Case

1. ☐ A number of questions which require follow-up answers were asked of the Director at his 14 September appearance before the SSCI on the Kampiles case. The Director promised legal opinions on the following questions.

a. Do building guards have authority to open packages marked "personal?"

b. Can we make it a condition of employment that no personal materials be brought into Agency buildings or those that are agreed to be subject to search?

c. Can we make a record of who is taking "personal" material out?

d. Can an employee waive his Fourth Amendment rights in carrying out "personal" materials, as a condition of his employment? Senator Morgan asked the question and seemed to think this was feasible.

2. ☐ The attached transcript pages record the questions asked. Please return the transcript pages with your responses, which I would hope to have by 29 September.

Attachment:
As stated

Distribution:

Original - Addressee w/att *pgs 11, 12, 13 of Transcript*
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MEMORANDUM FOR: Robert Gambino
Director of Security

FROM : [REDACTED]
Assistant Legislative Counsel

STAT

SUBJECT : Follow-up Items from 14 September Senate
Select Committee on Intelligence Briefing on
the Kampiles Case [redacted]

STAT

1. [] A number of questions which require responses from the Office of Security were raised at the Director's SSCI briefing on the Kampiles case. These are:

a. Do building guards have authority to open packages marked "personal?"

b. Can we make it a condition of employment that no personal materials be brought into Agency buildings or those that are are agreed to be subject to search?

c. Can we make a record of who is taking "personal" material out?

d. What information was available to Kampiles in the Operations Center?

2. [] In addition, Senator Bayh asked for an inventory of Operations Center documents and was informed seven or eight appeared to be missing, but that we were not sure which ones. The Director promised to report back to the Committee on this.

3. [] Attached are pages of the transcript (where the discussion was on the record) mentioning these questions. In the case of questions 1.a., 1.b., and 1.c. above I have also asked the Office of General Counsel for a legal opinion on these points, so please answer from a policy and security perspective. I have also asked the Operations Center to answer questions 1.d. and 2. Please return the pages of the transcript with your responses, which I would like to have by 29 September. Thank you very much.

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